

**REMARKS**

The Office Action dated October 23, 2006 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-7, and 9-20 are now pending in this application. Claims 3, 6, and 10-20 are withdrawn from consideration. Claims 1, 2, 4, 5, and 7-9 stand rejected. Claim 8 has been canceled.

The rejection of Claims 1, 2, 4, 5, and 7-9 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Claim 8 has been canceled and Claims 1, 2, 4, 5, 7, and 9 have been amended to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, as set forth below.

Claim 1 has been amended to clarify that the escutcheon includes a control panel mounting portion that includes a lower edge. The escutcheon also includes a plurality of formations downwardly depending from the lower edge. The formations each include a lip and a flange that is spaced from the lip to define a retaining slot therebetween. The flange extends at an acute angle with respect to the lip.

Claim 2 has been amended to clarify that the ribs extend into the slot defined between the lip and the flange.

Claim 4 has been amended to clarify that a guide surface of each rib extends at an acute angle with respect to a lower edge of the control panel mounting portion.

Claim 7 has been amended to clarify that the escutcheon includes a control panel mounting portion and a plurality of formations depending from a lower edge of the control panel mounting portion. The formations each include a panel engagement portion, a lip, and a guide surface formed at an acute angle with respect to the lip. The guide surface and the lip define a retaining slot therebetween.

Claims 3, 5, and 9 have been amended to correct informalities and/or dependency in view of the claim amendments discussed above.

For at least the reasons set forth above, Applicants respectfully request that the Section 112 rejections of Claims 1, 2, 4, 5, and 7-9 be withdrawn.

The rejection of Claims 1, 2, 4, 5 and 7-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,765,697 to Gardell et al. (hereinafter referred to as “Gardell”) is respectfully traversed.

Gardell describes a dishwasher door (10) including an inner door (20), a frame (24), a control console (26) coupled to the inner door (20) and the frame (24) with fasteners (86), and a front panel assembly (28). The control console (26) includes a trim (70) and an interlocking portion (78) depending from a lower edge of a mounting surface. The interlocking portion (78) includes a slot (80), an inclined cam surface (82) that engages a projection (72) of the inner door (20), and two parallel legs that are spaced from each other and extend perpendicular to the cam surface (82) to define a slot therebetween (shown in Fig. 4). Notably, Gardell does not describe or suggest legs that extend at an acute angle with respect to each other. Conversely, Gardell describes legs that are parallel to each other and, thus, do not extend at an acute angle with respect to each other.

Claim 1 recites an escutcheon for an appliance door assembly. The escutcheon includes “a front edge and a rear edge horizontally spaced from said front edge, said front and rear edges vertically depending from an escutcheon upper surface; a control panel mounting portion comprising a mounting surface and a lower edge, said control panel mounting portion extending upwardly and inwardly from said lower edge and between said front and rear edges, said control panel mounting portion including a plurality of openings therethrough; and a plurality of formations downwardly depending from said lower edge, each of said plurality of formations comprising a lip and a flange spaced from said lip to define a retaining slot therebetween, said flange extending at an acute angle with respect to said lip, said retaining slot configured to receive an upper edge of a panel on the appliance door.”

Gardell does not describe or suggest an escutcheon as recited in Claim 1. More specifically, Gardell does not describe or suggest an escutcheon control panel mounting portion that includes a plurality of formations downwardly depending from a lower edge in which each formation includes a lip and a flange spaced from the lip to define a retaining slot therebetween, wherein the flange extends at an acute angle with respect to the lip, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Gardell describes a control console (26) that includes two parallel legs defining a slot therebetween.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Gardell.

Claims 2, 4, and 5 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2, 4, and 5 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 4, and 5 likewise are patentable over Gardell.

Claim 7 recites an escutcheon for a dishwasher door assembly. The escutcheon includes "a lower edge of a control panel mounting portion and a plurality of formations depending therefrom, each formation of said plurality of formations comprising a panel engagement portion, a lip, and a guide surface formed at an acute angle with respect to said lip, said guide surface and said lip defining a retaining slot therebetween, and said retaining slot configured to receive an upper edge of a panel on the dishwasher door."

Gardell does not describe or suggest an escutcheon as recited in Claim 7. More specifically, Gardell does not describe or suggest an escutcheon including a lower edge of a control panel mounting portion and a plurality of formations depending therefrom in which each formation of the plurality of formations includes a panel engagement portion, a lip, and a guide surface formed at an acute angle with respect to the lip to define a retaining slot therebetween, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Gardell describes a control console (26) that includes two parallel legs defining a slot therebetween.

Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Gardell.

Claim 8 has been canceled. Claim 9 depends directly from independent Claim 7. When the recitations of Claim 9 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 9 likewise is patentable over Gardell.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 2, 4, 5, and 7-9 over Gardell be withdrawn.

The rejection of Claims 7-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 3,773,399 to Sulcek (hereinafter referred to as “Sulcek”) is respectfully traversed.

Sulcek describes an appliance (10) including a door construction (12) that includes a front mounting panel (14) that is coupled by fasteners (55) to different decorative panels such as a slip-in panel (13) and a wraparound type panel (113). The door construction (12) also includes a handle (47) secured to an upper end (53) of the mounting panel (14) and to an upper end of the slip-in panel (13) or the wraparound type panel (113). The handle (47) includes an upper gripping portion (48), a horizontal cover portion (49), and three parallel depending flanges (50), (51), and (52). The flanges (50) and (51) are spaced from each other and extend perpendicular to the horizontal cover portion (49) to define a slot therebetween (shown in Figs. 4 and 7). Notably, Sulcek does not describe or suggest depending flanges (50) and (51) that extend at an acute angle with respect to each other. Conversely, Sulcek describes flanges that are parallel to each other and, thus, do not extend at acute angles with respect to each other.

Claim 7 recites an escutcheon for a dishwasher door assembly. The escutcheon includes “a lower edge of a control panel mounting portion and a plurality of formations depending therefrom, each formation of said plurality of formations comprising a panel engagement portion, a lip, and a guide surface formed at an acute angle with respect to said

lip, said guide surface and said lip defining a retaining slot therebetween, and said retaining slot configured to receive an upper edge of a panel on the dishwasher door.”

Sulcek does not describe or suggest an escutcheon as recited in Claim 7. More specifically, Sulcek does not describe or suggest an escutcheon including a lower edge of a control panel mounting portion and a plurality of formations depending therefrom in which each formation of the plurality of formations includes a panel engagement portion, a lip, and a guide surface formed at an acute angle with respect to the lip to define a retaining slot therebetween, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Sulcek describes a handle (47) including parallel depending flanges (50) and (51) that define a slot therebetween.

Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Sulcek.

Claim 8 has been canceled. Claim 9 depends directly from independent Claim 7. When the recitations of Claim 9 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 9 likewise is patentable over Sulcek.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 7-9 be withdrawn.

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In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

  
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